

REMARKS

Claims 29 and 33-43 are in this application, which has been removed from appeal with all of the claims rejected on new grounds. Claims 29, 33-40, 42 and 43 are rejected under Section 103 over Price (US 2002/0163883) in view of McHale (US Patent No. 6,870,834). Claims 32 and 41 are rejected under Section 103 over Price in view of McHale and further in view of Humphery (US 2002/00856401). Applicant respectfully requests reconsideration and allowance of the pending claims in view of the foregoing amendments and the following remarks.

The rejection of independent claim 29 as examined is traversed in part because the claim requires “disconnecting the subscriber terminal device from the internet service provider by a logoff procedure in the authentication channel when no data traffic is received ...” The rejection cites McHale at col. 3, lines 3-5, but the citation only refers to an activity detector disconnecting a subscriber to release a modem. This is further described at col. 7, line 62 - col. 8, line 2, which explains that the modem pool generates a timeout indication for communication to a controller 80 which releases the inactive modem. This is not the same as “*disconnecting the subscriber terminal device from the internet service provider by a logoff procedure in the authentication channel ...*” There is no disclosure in the art of record of deploying “*a logoff procedure in the authentication channel*” in order to disconnect a device. Rather, the McHale reference only refers to disconnecting a subscriber by releasing an inactive modem. See, again, col. 7, line 62 - col. 8, line 2.

Claim 29 has also been amended to distinguish specific features over the Price reference. Price does not monitor data traffic ... “to determine whether no data traffic is received within a duration of time ...” or control logon/logoff procedures in the authentication channel “based on a determination that no data traffic is received within the duration of time ...”

For these reasons claim 29 is allowable over the prior art.

Removal of the rejection of independent claim 37 is requested in view of the above amendment which now fully distinguishes over the prior art combination by requiring:

“a control unit that monitors the first data traffic or the second data traffic *and automatically controls a logoff procedure in the authentication channel* based on a determination that no data traffic is received within a duration of time ...”

Furthermore, claim 37 requires that

“when data traffic is not detected within the duration of time, ... the xDSL modem starts the logoff procedure which is carried out in the authentication channel, thereby causing the connection between the xDSL modem and the internet service provider to be logged off.”

For these reasons claim 37 is allowable over the prior art.

Conclusion

In view of the noted distinctions present in independent claims 29 and 37, all of the claims are allowable and allowance of the application is in order. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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